

NATIONAL ASSEMBLY
MINUTES OF PROCEEDINGS
OF THE 27TH SITTING OF THE NATIONAL ASSEMBLY OF THE FIRST
SESSION (2012) OF THE TENTH PARLIAMENT OF GUYANA HELD
AT 2.00 P.M.
ON THURSDAY, 2ND AUGUST, 2012
IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS,
BRICKDAM, GEORGETOWN

MEMBERS OF THE NATIONAL ASSEMBLY (68)

Speaker (1)

The Hon Raphael G.C. Trotman, M.P., Speaker of the National Assembly

MEMBERS OF THE GOVERNMENT (34)

(i) People's Progressive Party/Civic (34)

Hon. Samuel A.A. Hinds, O.E., M.P., Prime Minister and Minister of Parliamentary Affairs

Hon. Clement J. Rohee, M.P., Minister of Home Affairs

Hon. Dr. Leslie S. Ramsammy, M.P., Minister of Agriculture

Hon. Mohabir A. Nandlall, M.P. (Region No. 4 – Demerara/Mahaica),
Attorney General and Minister of Legal Affairs

Hon. Carolyn Rodrigues-Birkett, M.P. (Region No. 9 – Upper Takutu/Upper Essequibo),
Minister of Foreign Affairs

Hon. Dr. Ashni K. Singh, M.P., Minister of Finance

Hon. Robert M. Persaud, M.P. (Region No. 6 – East Berbice/Corentyne),
Minister of Natural Resources and Environment (Absent – on Leave)

Hon. Dr. Jennifer Westford, M.P. (Region No. 7 – Cuyuni/Mazaruni),
Minister of the Public Service

2.

Hon. Dr. Bheri S. Ramsarran, M.P., Minister of Health

Hon. Mohamed I. Alli, M.P., Minister of Housing and Water (Absent – on leave)

Hon. Dr. Frank C.S. Anthony, M.P., Minister of Culture, Youth and Sport

Hon. Brindley H.R. Benn, M.P., Minister of Public Works

Hon. Priya D. Manickchand, M.P. (Region No. 5 – Mahaica/Berbice),
Minister of Education

Hon. Ganga Persaud, M.P., Minister of Local Government and Regional Development

Hon. Jennifer I.M. Webster, M.P., Minister of Human Services and Social Security

Hon. Pauline Campbell-Sukhai, M.P., Minister of Amerindian Affairs

*Hon. Dr. Nanda K. Gopaul, M.P., Minister of Labour

Hon. Alli Baksh, M.P. (Region No. 2 – Pomeroon/Supernaam),
Minister in the Ministry of Agriculture

Hon. Norman A. Whittaker, J.P., M.P. (Region No. 1 – Barima/Waini),
Minister in the Ministry of Local Government and Regional Development

Hon. Bishop Juan A. Edghill, M.S., J.P., M.P., Minister in the Ministry of Finance

Ms Gail Teixeira, M.P., Chief Whip

Mr. Manzoor Nadir, M.P.

Mrs. Indranie Chandarpal, M.P. (Region No. 4 – Demerara/Mahaica)

Bibi S. Shadick, M.P. (Region No. 3 – Essequibo Islands/West Demerara)

***Non-Elected Minister**

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3.

Mr. Komal Chand, C.C.H., J.P., M.P. (Region No. 3 – Essequibo Islands/
West Demerara)

Mr. Odinga Lumumba, M.P.

Mr. Neendkumar, J.P., M.P. (Region No. 4 – Demerara/Mahaica)

Mr. Dharamkumar Seeraj, M.P.

Dr. Vishwa D.B. Mahadeo, M.P.

Rev. Dr. Kwame A. Gilbert, M.P.

**Mr. Joseph Hamilton, M.P., Parliamentary Secretary in the Ministry of Health

Dr. Vindhya Vasini Persaud, M.S., M.P.

Mr. Cornel Damon, M.P. (Region No. 2 – Pomeroon/Supernaam)

Mr. Faizal M. Jafarally, M.P. (Region No. 6 – East Berbice/Corentyne)

Members of the Opposition (33)

(ii) Members of A Partnership for National Unity(26)

Brigadier (Ret'd) David A. Granger, M.S.S., M.P.

Dr. Rupert Roopnarine, M.P.

Ms Amna Ally, M.P.

Mr. Basil Williams, M.P. (Region No. 4 – Demerara/Mahaica)

Mrs. Volda Lawrence, M.P. (Region No. 4 – Demerara/Mahaica)

Dr. George Norton, M.P.

Mrs. Deborah Backer, M.P., Deputy Speaker of the National Assembly

****Non-Elected Member**

4.

Mr. Carl B. Greenidge, M.P.

Lieutenant Colonel (Ret'd) Joseph F. Harmon, M.S.M., M.P.

Mr. Keith Scott, M.P.

Ms Dawn Hastings, M.P. (Region No. 7 – Cuyuni/Mazaruni)

Mr. Winston Felix, D.S.M., M.P.

Ms Jennifer J. Wade, M.P. (Region No. 5 – Mahaica/Berbice)

Mr. Sydney Allicock, M.S., M.P.

Ms Africo Selman, M.P. (Region No. 4 – Demerara/Mahaica)

Mr. Desmond Trotman, M.P.

Ms Vanessa Kissoon, M.P. (Region No. 10 – Upper Demerara/Upper Berbice)

Mr. James A. Bond, M.P.

Mr. Ronald A. Bulkhan, M.P.

Mr. Jaipaul Sharma, M.P. (Region No. 4 – Demerara/Mahaica)

Mrs. Mabel Baveghems, M.P.

Mr. John Adams, M.P. (Region No. 3 – Essequibo Islands/West Demerara)

Mr. Christopher A. Jones, M.P.

Mr. Richard Allen, M.P. (Region No. 1 – Barima/Waini)

Mr. Renis Morian, M.P. (Region No. 10 – Upper Demerara/Upper Berbice)

Miss Annette N. Ferguson, M.P.

5.

(iii)Members of The Alliance For Change (7)

Mr. Khemraj Ramjattan, M.P.

Mr. Moses Nagamootoo, J.P., M.P.

Mrs. Catherine Hughes, M.P.

Mrs. Valerie Garrido-Lowe, M.P.

Dr. Veersammy Ramayya, M.P. (Region No. 6 – East Berbice/Corentyne)

Ms June Eula Marcello, M.P. (Region No. 8 – Potaro/Siparuni)

Mr. Trevor Williams, M.P.

OFFICERS

Mr. Sherlock E. Isaacs, Clerk of the National Assembly

Mrs. Lilawtie Coonjah, Deputy Clerk of the National Assembly

COMMENCEMENT OF SITTING

The Sitting commenced at 2.10 p.m.

PRAYERS

The Clerk read the prayers.

PRESENTATION OF PAPERS AND REPORTS-

By the Minister of Finance:

- (1) Financial Paper No. 1/2012 – Statement of Excess (Current and Capital) Estimates totalling \$1,571,627,044 for the period ended 2012-12-31.

(Circulated)

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6.

(2) Financial Paper No. 2/2012 – Supplementary Estimates (Current and Capital) totalling \$12,168,106,477 for the period ended 2012-12-31.

(Circulated)

The Minister of Finance named Thursday, 9th August, 2012 for consideration of the Financial Papers.

PUBLIC BUSINESS

(i) PRIVATE MEMBERS' BUSINESS

MOTIONS

ITEM 1 - SYMPATHY ON THE DEATH OF MR. EVERALL FRANKLIN

Mrs. Deborah Backer, M.P., Deputy Speaker of the National Assembly moved the following motion:

BE IT RESOLVED:

That we the Members of the National Assembly of the Parliament of Guyana –

- place on record our shock and profound grief at the loss to the National Assembly of the Parliament of Guyana, by the tragic death of Mr. Everall Franklin, on 30th November, 2011;
- pay tribute to the committed and meritorious service which he rendered to the National Assembly from 16th September, 2006 until the dissolution of the Ninth Parliament on 27th September, 2011,

7.

BE IT FURTHER RESOLVED:

That the National Assembly directs that an expression of our heartfelt sympathy be conveyed to his sorrowing widow, children and relatives.

(Notice Paper No. 57 (M27 Opp16) published on 2012-06-14)

The following Members spoke to the motion:

Mr. Manzoor Nadir

Mrs. Catherine Hughes

Thereafter Mrs. Deborah Backer, M.P., replied.

The motion was then put and carried.

ITEM 2 - SYMPATHY ON THE DEATH OF MR. ROBERT WILLIAMS

Mr. Basil Williams, M.P. moved the following motion:

BE IT RESOLVED:

That this National Assembly records its deep regret at the death of Mr. Robert Williams on 30th January, 2012 and pays tribute to his dedicated service as a Member of Parliament from 1st January, 1981 to 13th November, 1986 and to the people of Guyana;

BE IT FURTHER RESOLVED:

That the National Assembly directs than an expression of its sympathy be conveyed to his sorrowing widow, children and relatives.

(Notice Paper No. 58 (M28 Opp17) published on 2012-06-14)

8.

The following Members spoke to the motion:

Mr. Moses Nagamootoo

Mr. Joseph Hamilton

Mr. Odinga Lumumba

Thereafter Mr. Basil Williams replied.

The motion was then put and carried.

ITEM 3 - SYMPATHY ON THE DEATH OF MRS. SHEILA HOLDER

Mr. Khemraj Ramjattan, M.P. moved the following motion:

BE IT RESOLVED:

That we the Members of the National Assembly of the Parliament of Guyana –

- place on record our shock and profound grief at the great loss to the National Assembly of the Parliament of Guyana, by the tragic death of Mrs. Sheila Holder, on 20th November, 2011;
- pay tribute to the committed and exemplary service which she rendered to the National Assembly from 19th March, 2001 until the dissolution of the Ninth Parliament on 27th September, 2011,

BE IT FURTHER RESOLVED:

That the National Assembly directs that an expression of our heartfelt sympathy be conveyed to her sorrowing widower, children and relatives.

(Notice Paper No. 59 (M29 Opp18) published on 2012-06-14)

9.

The following Members spoke to the motion:

Ms Africo Selman

Mrs. Indranie Chandarpal

Thereafter Mr. Khemraj Ramjattan, M.P., replied.

The motion was then put and carried.

SUSPENSION OF SITTING

At 4.02 p.m., the sitting was suspended for refreshments.

RESUMPTION OF SITTING

At 5.12 p.m., the sitting was resumed.

(ii) GOVERNMENT BUSINESS

BILLS – Second Readings

ITEM 4 - OFFICIAL GAZETTE BILL 2012 – Bill No. 9/2012 published on 2012-06-29

The Attorney General and Minister of Legal Affairs moved the second reading of the following Bill:

A BILL intituled AN ACT to provide for the publication of the Official Gazette in printed and electronic form and for connected purposes.

(Read a first time on 2012-06-27)

The following Members spoke to the motion:

Mr. Basil Williams

The Minister of Human Services and Social Security

Mr. Khemraj Ramjattan

10.

Thereafter the Attorney General and Minister of Legal Affairs replied.

The Bill was then read a second time.

Assembly resolved itself into Committee to consider the Bill clause by clause.

In Committee

Clauses 1 was passed as printed.

Clause 2

The Attorney General and Minister of Legal Affairs moved the following amendment, which was put and carried:

“Insert the following words immediately after the word “Act” –

“Minister” means the Minister responsible for Legal Affairs;”

Clause 2 was then passed as amended.

Clause 3 was passed as printed.

Assembly resumed

On a motion by the Attorney General and Minister of Legal Affairs, the Official Gazette Bill 2012 was read a third time and passed as amended.

ITEM 5 - DEEDS REGISTRY (AMENDMENT) BILL 2012 – Bill No. 11 of 2012 **published on 2012-07-10**

The Attorney General and Minister of Legal Affairs moved the second reading of the following Bill:

11.

A BILL intituled AN ACT to amend the Deeds Registry Act.

(Read a first time on 2012-07-12)

The following Members spoke to the motion:

Mr. Basil Williams

Mr. Khemraj Ramjattan

Thereafter the Attorney General and Minister of Legal Affairs replied.

The Bill was then read a second time.

Thereafter the Bill was referred to a Special Select Committee.

MOTION

ITEM 6 - GUYANA'S FOLLOW-UP TO COMMITMENTS MADE TO THE UNITED NATIONS HUMAN RIGHTS COUNCIL WITH REGARD TO HOLDING CONSULTATIONS ON 3 MATTERS (THE ABOLITION OF CORPORAL PUNISHMENT IN THE SCHOOLS, THE ABOLITION OF THE DEATH PENALTY AND THE DECRIMINALIZATION OF CONSENSUAL ADULT SAME SEX RELATIONS AND DISCRIMINATION AGAINST LESBIANS, GAYS, BI-SEXUAL AND TRANSGENDER PERSONS)

At the request of the Prime Minister and Minister of Parliamentary Affairs, the following motion was deferred:

WHEREAS Guyana appeared before the United Nations Human Rights Council (UNHRC) during the first cycle of the Universal Periodic Review (UPR) in May, 2010 and again in September, 2010 where its report was adopted;

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AND WHEREAS on October 18, 2010, the Government of Guyana tabled in this National Assembly a “Compendium of Documents on Guyana before the First Universal Periodic Review of the United Nations Human Rights Council, 8th Session May 11, 2010, and the UNHRC 15th Session, September 23, 2010”, the contents of which are referred to in this motion;

AND WHEREAS at the conclusion of its review, Guyana received several recommendations and committed itself to consult on 3 main matters that may be considered controversial in Guyanese society, namely the abolition of corporal punishment (Recommendations 70.36 to 70.41), the abolition of the death penalty (Recommendations 70.23 to 70.35), and the decriminalization of consensual adult same sex relations and discrimination against Lesbians, Gays, Bi-sexual and Trans-gender persons (Recommendations 70.47 to 70.53), with a view to garnering public sentiment which may lead to legislative changes;

AND WHEREAS public consultations with target groups and in geographic regions have commenced on these matters as well as public discussions in the media and amongst civil society organizations;

AND WHEREAS the Government is of the view that parliamentary consideration of these three matters would enhance the national examination procedurally by being the subject of a Special Select Committee which would organize the national consultations in a complimentary credible way,

BE IT RESOLVED:

That this National Assembly approves of these matters being submitted to the House for consideration by a Special Select Committee established for that purpose;

BE IT FURTHER RESOLVED:

That this National Assembly adopts the following Terms of Reference to guide the work of this Special Select Committee in the determination of:

- (i) The attitude of Guyanese, especially parents and children, to corporal punishment and its possible abolition;
- (ii) The attitude of Guyanese, particularly the families of victims, criminologists, and professionals, on capital punishment and its possible abolition;
- (iii) The attitude of Guyanese of any changes in the legislative provisions and criminal code regarding consensual adult same sex relationships and discrimination, perceived or real, against Lesbians, Gays, Bi-Sexual and Transgender persons;

BE IT FURTHER RESOLVED:

That the Parliamentary Special Select Committee presents to this House its work programme and time frame for adoption and implementation;

BE IT FURTHER RESOLVED:

That the Parliamentary Special Select Committee advises the National Assembly of the status of its work programme periodically and reports its findings and recommendations with regard to any or all of these afore-mentioned matters.

(Notice Paper No. 83 (M34 Govt 13) published on 2012-07-17)

(i) PRIVATE MEMBERS' BUSINESS

MOTIONS

ITEM 7 - FORMER PRESIDENTS' PENSIONS AND BENEFITS

Mr. Carl Greenidge, M.P. moved the following motion:

14.

WHEREAS the National Assembly should make appropriate, adequate and reasonable provision for a President to enjoy a comfortable and dignified retirement;

AND WHEREAS it is in the national interest that such provision be made and be related to the capacity of Guyana to support it;

AND WHEREAS the provisions of the Former President's (Benefits and Other Facilities) Act 2009 has caused concern and resulted in adverse reaction among sections of the citizens of Guyana, in particular as to the ability of the country to sustain the benefits set out therein,

BE IT RESOLVED:

That this National Assembly immediately takes steps to have the aforementioned legislation repealed without prejudice, however, to the payment of benefits;

BE IT ALSO RESOLVED:

That a Parliamentary Committee be convened to examine the Pensions (President, Parliamentary and Special Offices) Act, Part II Section 4 (Rate of President and Calculation of Pension 7/8 Ceiling of Pension) and to make proposals for their revision;

BE IT FURTHER RESOLVED:

That the Special Parliamentary Committee submit as a matter of urgency a revised superannuation benefit package for those persons to whom the Parliamentary and Holders of Special Offices Act applies and for those other categories of employees catered for by other government pensions and arrangement/plans; and

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15.

BE IT FURTHER RESOLVED:

That this revised superannuation package be sent by the Special Parliamentary Committee for consideration and approval by the National Assembly.

(Notice Paper No. 42 (M14 Opp 8) published on 2012-04-05)

SUSPENSION OF SITTING

At 7.04 p.m., the sitting was suspended for refreshments.

RESUMPTION OF SITTING

At 7.43 p.m., the sitting was resumed.

The following Members spoke to the motion:

The Attorney General and Minister of Legal Affairs

Dr. Rupert Roopnarine

Mr. Odinga Lumumba

Mr. Khemraj Ramjattan

The Minister of Labour

SUSPENSION OF STANDING ORDER NO. 10(1)

At 9.52 p.m., on a motion by the Prime Minister and Minister of Parliamentary Affairs, Standing Order No. 10(1) was suspended to enable the Assembly to conclude the debate on the motion.

The Minister of Finance also spoke to the motion.

Thereafter Mr. Carl Greenidge replied.

The motion was then put and carried.

ADJOURNMENT

At 10.55 p.m., on a motion by the Prime Minister and Minister of Parliamentary Affairs, the Assembly was adjourned to 2.00 p.m., on Thursday, 9th August, 2012.

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HON. RAPHAEL G.C. TROTMAN, M.P.,
Speaker of the National Assembly

PARLIAMENT OFFICE,
Public Buildings,
Brickdam,
Georgetown.

2nd August, 2012.